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7 ELIJAH LEE MILLER,
8 Plaintiff,
9 v.
10 HOWARD E. MOSELY, et al.,
11 Defendants.

Case No. [23-cv-01857-TLT](#)

ORDER OF DISMISSAL

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13 Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights
14 action pursuant to 42 U.S.C. § 1983. Plaintiff's complaint was dismissed, and plaintiff was
15 directed to file an amended complaint on or before October 27, 2023. ECF 3. That date has now
16 passed, and plaintiff has neither filed an amended complaint nor sought an extension of time to do
17 so. Due to plaintiff's failure to comply with a court order and failure to prosecute, this case is
18 DISMISSED without prejudice.

19 **IT IS SO ORDERED.**

20 Dated: December 1, 2023

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23 TRINA L. THOMPSON
24 United States District Judge
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